

8/2/05

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RORY MAZUR,

Plaintiff,

Case No. 5:05-cv-00085

WAL-MART STORES, INC.
db/a WAL-MART SUPERCENTER
STORE #1432,

Hon. Gordon J. Quist

Defendant

Daniel P. O'Neil (P37051)
THOMPSON, O'NEIL & VANDERVEEN, P.C.
Attorneys for Plaintiff
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Kiffi Y. Ford (P54852)
Stacy R. Owen (P64760)
DYKEMA GOSSETT PLLC
Attorneys for Defendant
124 W. Allegan, Suite 800
Lansing, MI 48933
Tele: (517) 374-117

DEFENDANT 'S FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS

Defendant Wal-Mart Stores, Inc. ("Wal-Mart"), by its attorneys, Dykema Gossett PLLC, submits the following First Requests to Produce to Plaintiff Rory Mazur ("Plaintiff"). Defendant requests that Plaintiff produce and serve the following documents and tangible things requested within thirty (30) days pursuant to Rule 34 of the Federal Rules of Civil Procedure. Said documents should be delivered to Kiffi Y. Ford, Esq., Dykema Gossett PLLC, 124 West Allegan, Lansing, Michigan 48933.

The term "documents" means and includes without limitation all correspondence, memoranda, certificates, notes, books, manuals, pamphlets, brochures, advertisements, books of account, balance sheets, financial statements, profit and loss statements, working papers, schedules, diaries, calendars, logs, time records, equipment records, microfilms, transcripts, recordings, tapes, telexes, faxes, telecopies, emails, telegrams, files, proposals, bids, offers,

Exhibit A

contracts, agreements, leases, change orders, worksheets, drawings, blue prints, designs, specifications, time cards, compilations, graphs, charts, bills, statements, invoices, receipts, bills of lading, shipping records, confirmations, applications, purchase orders, checks, checkbooks and other checking records, photographs, formulae, prescriptions, studies, projections, reports, computer programs, e-mails, information contained in computer banks, tapes, cards, printouts and drafts to the extent they differ from the originals, and all other records and papers of any nature whatsoever, whether in hard copy or electronic form. Plaintiff shall label these documents to correspond with the categories of the Request.

DOCUMENT REQUESTS

REQUEST NO. 1

Any employee handbook or document received by Mr. Mazur from WAL-MART at the commencement of, or during, his employment with WAL-MART.

RESPONSE:

REQUEST NO. 2

Any document pertaining to Mr. Mazur's pension plan or employee benefits relating to his employment at WAL-MART.

RESPONSE:

REQUEST NO. 3

Any document in any way pertaining to any grievance filed by Mr. Mazur or on his behalf, against WAL-MART.

RESPONSE:

REQUEST NO. 4

Any documents in any way pertaining to Mr. Mazur's employment with WAL-MART.

RESPONSE:

REQUEST NO. 5

Any documents or records which constitute communications between Mr. Mazur and WAL-MART.

RESPONSE:

REQUEST NO. 6

Any documents Mr. Mazur relies on in support of his defamation, intentional infliction of emotional distress, breach of contract, Whistleblower, wrongful discharge, or constitutional claims.

RESPONSE:

REQUEST NO. 7

Any documents prepared by Mr. Mazur which in any way pertain to his relationship, employment or otherwise, with WAL-MART.

RESPONSE:

REQUEST NO. 8

Any documents in Mr. Mazur's possession that in any way pertain to his claims against the WAL-MART.

RESPONSE:

REQUEST NO. 9

Mr. Mazur's personal diary and/or journal.

RESPONSE:

REQUEST NO. 10

Mr. Mazur's business calendar and/or day planner from 2001 through the present.

RESPONSE:

REQUEST NO. 11

Mr. Mazur's personal/family calendar and/or day planner from 2001 through the present.

RESPONSE:

REQUEST NO. 12

Mr. Mazur's income tax records for the years 2001-2004.

RESPONSE:

REQUEST NO. 13

Any W-2 earning statements and/or 1099 earning statements received by Mr. Mazur for the years 2001 through 2004.

RESPONSE:

REQUEST NO. 14

Any documents (including bills) relating to medical and/or psychiatric care and treatment in any way pertaining to any alleged damage suffered by Mr. Mazur.

RESPONSE:

REQUEST NO. 15

Any documents or statements from witnesses which in any way pertain to Mr. Mazur's relationship, employment or otherwise, with WAL-MART.

RESPONSE:

REQUEST NO. 16

Any documents which in any way pertain to damages claimed by Mr. Mazur.

RESPONSE:

REQUEST NO. 17

Any and all documents identified in Mr. Mazur's, or relied upon by Mr. Mazur in response to, WAL-MART's First Set of Interrogatories to Mr. Mazur.

RESPONSE:

REQUEST NO. 18

All exhibits Mr. Mazur plans to introduce at trial.

RESPONSE:

Respectfully submitted,

DYKEMA GOSSETT PLLC

By: 

Kiffi Y. Ford (P54852)

Attorneys for Defendant

124 W. Allegan, Suite 800

Lansing, MI 48933

(517) 374-9177

Dated: August 2, 2005

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IN THE WESTERN DISTRICT OF MICHIGAN
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RORY MAZUR,

Plaintiff,

v

WAL-MART STORES, INC., d/b/a
WAL-MART SUPERCENTER STORE #1432,

Defendant.

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Hon. Gordon J. Quist

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PROOF OF SERVICE

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

Kiffi Y. Ford, through her assistant, Karlene K. Schaeffer, an employee of Dykema Gossett PLLC, being first duly sworn, deposes and says that on the 2nd day of August, 2005, she served a copy of Defendant's First Interrogatories to Plaintiff and Defendant's First Request For Production of Documents, upon:

Daniel P. O'Neil (P37051)
THOMPSON, O'NEIL &
VANDERVEEN, P.C.
309 E. Front Street, P.O. Box 429
Traverse City, MI 49684

by enclosing copies of the same in an envelope properly addressed, and by depositing
said envelope in the United States Mail with postage thereon having been fully prepaid

/s/ Kiffi Y. Ford

Kiffi Y. Ford (P54852)
Stacy R. Owen (P64760)
DYKEMA GOSSETT PLLC
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